

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

In Re:)	
)	
AREDIA and ZOMETA PRODUCTS)	No. 3:06-md-01760
LIABILITY LITIGATION)	Judge Campbell/Brown
(MDL No. 1760))	
)	
This Document Relates to)	
Case No. 3:09-cv-00861 (Daniels, A.))	

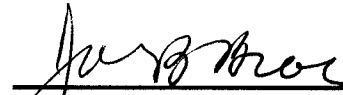
To: The Honorable Chief Judge Todd J. Campbell

REPORT AND RECOMMENDATION

Currently pending before the Magistrate Judge is Defendant NPC's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 4(m). (Docket Entry 3676). Plaintiff has not filed a Response to the Motion. Because Plaintiff has neither served NPC with her complaint nor responded to the pending motion, the Magistrate Judge **RECOMMENDS** Defendant's Motion be **GRANTED** and Plaintiff's Complaint be **DISMISSED without prejudice** pursuant to Fed. R. Civ. P. 4(m).

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days from receipt of this Report and Recommendation in which to file any written objection to it with the District Court. Any party opposing said objections shall have fourteen (14) days from receipt of any objections filed in which to file any responses to said objections. Failure to file specific objections within fourteen (14) days of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *Thomas v. Arn*, 474 U.S. 140

(1985); *Cowherd v. Million*, 380 F.3d 909, 912 (6th Cir. 2004 (en banc)).



JOE B. BROWN
UNITED STATES MAGISTRATE JUDGE